

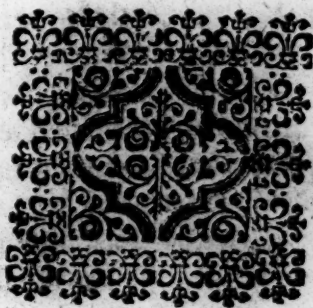
A
REMONSTRANCE
OF THE
STATE OF THE KINGDOM

Agreed on

By the LORDS and COMMONS Assembled
in PARLIAMENT the 19. of May, 1642. and Published
by Order of both Houses.

With divers Depositions and Letters thereunto annexed.

H. ELSYNE Cler. Parl. D. Com.



L O N D O N,
Printed for *John Bartlet* at the Signe of the Gilt-Cup, neare
St. Austins-Gate, 1642.

REMONSTRANCE OF THE STATE OF THE KINGDOM

Agreed on the 10th of May 1704
in Parliament and Published
by Order of both Houses

Printed by J. Sturges

Printed by J. Sturges

Printed for the Author at the Sign of the Gun, in the
St. Catherine's Lane, 1704.



A
REMONSTRANCE
 OF THE
STATE OF THE KINGDOME,

Agreed on by the LORDS and COMMONS Assembled in PARLIAMENT, the 19. of May, 1642.

He infinite Mercy and Providence of the Almighty God hath beene abundantly manifested since the beginning of this Parliament in great variety of protections and blessings, whereby he hath not onely delivered us from many wicked Plots and Designes, (which if they had taken effect) would have brought ruine and destruction upon this Kingdome; but out of those attempts hath produced divers evident and remarkable Advantages to the furtherance of those services which we have bin desirous to performe to our Sovereigne Lord the King, and to this Church and State, in providing for the publick peace and prosperity of his Majesty and all his Realmes, which in the presence of the same all-seeing Deity, we protest to have beene and still to be, the only end of all our Councils and indeavours, wherein we have resolved to continue freed and enlarged from all private aymes, personall respects or passions whatsoever.

In which resolution we are nothing discouraged, although the heads of the Malignant party disappointed of that prey, the Religion and liberty of this Kingdome, which they were ready to seize upon and devour, before the beginning of this Parliament, have still persisted by new practises both of force and subtilty to recover the same againe; for which purpose they have made severall attempts for the bringing up of

the Army ; they afterwards projected the false accusation of the Lord *Kimbolton* and the five Members of the House of *Commons*, which being in it selfe of an odious nature, they yet so farre prevailed with His Majesty, as to procure Him to take it upon Himself; but when the unchangeable duty and faithfullnesse of the Parliament could not be wrought upon by such a fact as that, to with-draw any part of their reverence and obedience from His Majesty, they have with much art and industry advised His Majesty to suffer divers unjust scandals and imputations upon the Parliament to be publih'd in His Name, whereby they might make it odious to the people, and by their helpe to destroy that which hitherto hath bin the only means of their owne preservation.

For this purpose they have drawne his Majesty into the Northerne parts farre from the Parliament, that so false Rumours might have time to get credit, and the just defences of the Parliament, find a more tedious, difficult and disadvantageous accessse, after those false imputations and flanders had been first rooted in the apprehension of his Majesty and his Subjects; which the more speedily to effect, they have caused a Presse to be transported to *Yorke*, from whence severall Papers and Writings of that kind are conveyed to all parts of the Kingdome, without the Authority of the great Seale, in an unusuall and illegall manner, and without the Advice of his Majesties Privie Councell, from the greater and better part whereof having withdrawn himselfe as well as from his great Councell of Parliament, he is thereby exposed to the wicked and unfaithfull Councells of such as have made the wildome and justice of the Parliament dangerous to themselves, And this danger they labour to prevent, by hiding their own guilt under the Name and shadow of the King, infusing into him their own feares, and as much as in them lies, aspersing his Royall Person and honour with their own Infamy, from both which, it hath alwayes been as much the care, as it is the duty of the Parliament to preserve his Majesty, and to fix the guilt of all evill Actions and Councells upon those who have been the Authors of them.

Amongst divers Writings of this kind wee the Lords and Commons in Parliament have taken into our consideration two printed Papers, the first containing, A Declaration which they recived from his Majesty in answer to that which was presented to his Majesty from both Houses of Parliament, at *New-market* the 9th. of *March*, 1641. The other his Majesties Answer to the Petition of both Houses, presented to his Majesty at *Yorke*, the 26th. of *March*, 1642. Both which are

filled with harsh Censures, and causelesse Charges upon the Parliament, concerning which we hold it necessary to give satisfaction to the Kingdome, seeing we find it very difficult to satisfie his Majesty, who to our great grief we have found to be so engaged too, and posselt by those misapprehensions which evill Councillors have wrought in him, that our most humble and faithfull Remonstrances have rather irritated and im-bittered, then any thing allayed or mitigated, the sharpe expressions which his Majesty hath been pleased to make in answer to them; for the manifestation whereof, and of our own Innocency, we desire that all his Majesties loving Subjects may take notice of these particulars.

We know no occasion given by us which might move his Majesty to tell us that in our Declaration presented at *New-market*, there were some expressions different from the usuall Language to Princes.

Neither did we tell his Majesty, either in words or in effect, that if he did not joyne with us in an Act, which his Majesty conceived might prove prejudiciall and dangerous to himselfe and the whole Kingdome, we would make a Law without him, and impose it upon the people, That which we desired was, that in regard of the imminent danger of the kingdome, the *Militia* for the security of His Majesty and his people might be put under the command of such noble and faithfull Persons, as they had all cause to confide in, and such was the necessity of this prevention, that we declared that if His Majesty should refuse to joyne with us therein, the two Houses of Parliament, being the supream Court and highest Councell of the Kingdome, were enabled by their owne Authority, to provide for the repelling of such imminent and evident danger, not by any new Law of their owne making, as hath been untruly suggested to his Majesty, but by the most ancient Law of this Kingdome, even that which is fundamentall and essentiall to the Constitution and subsistence of it.

Although we never desired to encourage His Majesty to such Replies as might produce any contestation betwixt Him and His Parliament, of which we never found better effect then losse of time, and hindrance of the publike affairs; yet we have been farre from telling him of how little value his words would be with us, much lesse when they are accompanied with actions of Love and Justice: His Majesty hath more reason to finde fault with those wicked Councillours who have so often bereaved Him of the Honour, and his people of the fruit of many gracious Speeches which he made to them, such as those in the end of the last Parliament; *That in the Word of a King*

and as he was a Gentleman he would redresse the Grievances of the people, as well out of Parliament as in it: Were the searching the Studies and Chambers, yea the pockets of some, both of the Nobility and Commons the very next day; the Commitment of M. Bellasis, Sir John Holtbam and Mr. Crew; The continued oppressions of Shipmony, Coat and Conduct mony, with the manifold imprisonments and other vexations thereupon, and other ensuing violations of the Lawes and Liberties of the Kingdom (all which were the effects of evill Councell, and abundantly declared in our generall Remonstrance of the State of the Kingdome) actions of love and Justice futable to such words as these.

As gracious was His Majesties speech in the beginning of this Parliament, *That hee was resolved to put himselfe freely and clearely upon the Love and Affection of his English Subiects.* Whether his causless complaints and jealousies, the unjust imputations so often cast upon his Parliament, his denyall of their necessary Defence by the Ordinance of the *Militia*, his dangerous absenting himselfe from his great Councell; like to produce such a mischievous division in the Kingdome, have not become more futable to other mens evill Councils, then to his owne words, will easily appeare to any indifferent judgement.

Neither have his latter Speeches been better used and preserved by these evill and wicked Councillours. Could any words be fuller of love and Justice then those in his Answer to the Messige sent to the House of Commons 31. December, 1641. *We doe engage unto you solemnly the Word of a King, that the securiry of all and every one of you from violence, is and ever shall be as much our care as the preservation of Us and our Children.* And could any actions be fuller of injustice and violence then that of the Attorney Generall, in falsly accusing the members of Parliament, and the other proceedings thereupon within three or foure dayes after that Messige; for the full view whereof let the Declaration made of those proceedings be perused; And by these instances (we could adde many more) let the world judge, who deserves to be taxed with disvaluing his Majesties words, they who have (as inuch as in them lyes) stained and sullied them with such foule Councils, or the Parliament who have ever manifested with joy and delight their humble thankfullnesse for those gracious words and Actions of Love and Justice which have been conformable therunto.

The King is pleased to disavow the having any such evill Councell or Councillors

Councillors as are mentioned in our Declaration, to his Knowledge, and we hold it our Duties humbly to avow there are such, or else we must say that all the ill things done of late in his Majesties Name have been done by himselfe, wherein we should neither follow the direction of the Law, nor the Affections of our owne hearts, which is as much as may be to cleare his Majesty from all imputation of misgovernment, and to lay the fault upon his Ministers; The false accusing of sixe members of Parliament; The justifying M. Attorney in that false Accusation; The violent coming to the House of Commons; The denyall of the *Militia*; The sharp Messages to both Houses contrary to the Customs of former Kings; The long and remote absence of his Majesty from Parliament; The heavy and wrongfull Taxes upon both Houses; The cherishing and countenancing a discontented Party in the Kingdome against them: These certainly are the fruits of very ill Councell, apt to put the Kingdome into a combustion, to hinder the supplies of *Ireland*, and to countenance the proceedings and pretentions of the Rebels there. And the Authours of these evill Counells, we conceive, must needs be knowne to his Majesty, and we hope our labouring with his Majesty to have these discovered and brought to a just Censure, will not so much wound his Honour in the opinion of his good Subjects, as his labouring to preterve and conceale them.

And whereas his Majesty saith, He could wish that His owne immediate Actions which he avowes on his owne Honour might not be so roughly censured under that common stile of evill Councillors, we could also heartily wish that we had not cause to make that stile so common: But how often and undutifully soever these wicked Councillors fixe their dishonour upon the King, by making his Majesty the Authour of those evill Actions, which are the effects of their own evill Counsels; We his Majesties loyall and dutifull Subjects can use no other stile, According to that Maxime in the Law, *The King can doe no Wrong*; But if any ill be committed in matters of State, the Councell; If in matters of Justice, the Iudges must answer for it.

We lay no charge upon his Majesty, which should put him upon that Apology concerning his faithfull and zealous affection of the Protestant Profession; Neither doth his Majesty endeavour to cleare those in greatest Authority about him, by whom (we say) that designe hath been potently carried on for divers yeares, and we rather wish that the Mercies of Heaven then the Iudgements may be manifested upon them; But that there have been such, there are so plentifull and frequent Evi-

dences, that we beleeve there is none, either Protestant or Papist, who hath had any reasonable view of the Passages of latter times, but either in feare or hope did expect a sudden issue of this Designe.

We have no way transgressed against the Act of Oblivion, by remembering the intended Warre against *Scotland*, as a Branch of that Designe to alter Religion by those wicked Councils, from which God did then deliver us, which we ought never to forget.

That the Rebellion in *Ireland* was framed and cherish'd by the Popish and malignant Party in *England*, is not onely affirmed by the Rebels, but may be cleared by many other proofes ; The same rebellious Principles of pretended Religion ; The same politique ends are apparent in both, and their malicious Designs and Practises are masqu'd and disguised with the same false colour of their earnest zeale to vindicate his Majesties Prerogative from the supposed Oppression of the Parliament ; How much these treacherous Pretences have been countenanced by some evill Councell about his Majesty may appeare in this, that the Proclamation whereby they were declared Traitors was so long with-held, as to the second of *January*, though the Rebellion broke forth in *October* before, and then no more but 40. Coppies appointed to be printed, with a speciall Command from his Majesty not to exceed that Number, and that none of them should be published till his Majesties pleasure were further signified, as by the Warrant appeares, a true Coppy whereof is hereunto added : So that a few onely could take notice of it, which was made more observable by the late contrary proceedings against the *Scots*, who were in a very quicke and sharp manner proclaimed, and those Proclamations forthwith dispersed with as much diligence as might be through all the Kingdome, and ordered to be read in all Churches, accompanied with publique Prayers and Execrations. Another Evidence of favour and countenance to the Rebels in some of Power about his Majesty, is this, That they have put forth in his Majesties name a causelesse Complaint against the Parliament, which speaketh the same Language of the Parliament, which the Rebels doe, thereby to raise a beleefe in mens minds, that his Majesties affections are alienated, aswell as his person is removed from that his great Councell, all which doth exceedingly retard the supplies of *Ireland*, and more advance the proceedings of the Rebels, then any Jealousie or misapprehension begotten in his Subjects by the Declaration of the Rebels, Injunction of *Rosetti*, or Information of *Trestram Whitcombe* ; so that considering the present state and temper of both Kingdomes

domes, his Royall Presence is farre more necessary here then it can be in Ireland for redemption or protection of his Subjects there.

And whether there be any cause of his Majesties great Indignation for being reproach'd to have intended force or threatning to the Parliament, we desire them to consider who shall reade our Declaration, in which there is no word tending to any such reproach, and certainly we have been more tender of his Majesties Honour in this point, then he whosoever he was that did write this Declaration, where in his Majesties name he doth call God to witnesse, he never had any such thought, or knew of any such resolution of bringing up the Army, which truly will seeme strange to those who shall reade the deposition of M. *Goring*, Information of M. *Percy*, and divers other Examinations of M. *Willmot*, M. *Pollard*, and others; The other Examination of Captaine *Legg*, Sir *Jacob Ashley*, Sir *John Coniers*, and consider the condition and nature of the Petition which was sent unto Sir *Jacob Ashley*, under the approbation of C. R. which his Majesty doth now acknowledge to be his owne hand, and being full of Scandall to the Parliament might have proved dangerous to the whole Kingdome, if the Army should have interposed betwixt the King and them, as was desired.

We doe not affirme that his Majesties Warrant was granted for the Passage of M. *Jermyn* after the desire of both Houses, for restraint of his Servants, but only that he did passe over after that restraint by vertue of such a Warrant: We know the Warrant beares date the day before our desire, yet it seemes strange to those who know how great respect and power M. *Jermyn* had in Court, that he should begin his Journey in such haste, and in Apparell so unfit for travell, as a blacke Satten suite, and white boots, if his going away were designed the day before.

The Accusation of the Lord *Kimbolton* and the 5. Members of the House of Commons is called a breach of Priviledge, and truly so it was and a very high one. farre above any satisfaction that hath beene yet given, how can it be said to be largely satisfied, so long as his Majesty labours to preserve Mr. Attorney from punishment, who was the visible Actor in it; so long as his Majesty hath not only justified him, but by his Letter declared that it was his duty to accuse them, and that he would have punish'd him, if he had not done it; so long as those members have not the meanes of clearing their Innocency, and the Authours of that malicious Charge undiscovered, though both Houses of Parlia-

His Majesty
is not
charged
with In-
tention of
any force

M. *Jermyn*
escaped by
his Majesty's
warrant.

Accusa-
tion of
the Lord
Kimbolton,
&c.

ment have severall times petitioned His Majesty to discover them, and that not onely upon grounds of common Justice, but by Act of Parliament his Majesty is bound to doe it; so long as the King refuseth to passe a Bill for their discharge, alleadging that the Narrative in that Bill is against his Honour, whereby he seemes still to avow the matter of that false and scandalous Accusation, though he deserts the prosecution, offering to passe a Bill for their Acquittall, yet with intimation that they must desert the avowing their owne Innocency, which would more wound him in Honour, then secure them in Law.

And in vindication of this great Priviledge of Parliament, we do not know that we have invaded any Priviledge belonging to his Majesty, as is alleadged in this Declaration.

But we looke not upon this onely in the notion of a Breach of Priviledge, which might be, though the Accusation were true or false, but under the notion of a heynous crime in the Attorney and all other Subjects who had a hand in it. A crime against the Law of Nature, against the rules of Justice, that innocent men should be charged with so great an offence as Treason in the face of the highest judicatory of the Kingdom, wherby their Lives and Estates, their Blood and Honour are endangered without witnesse, without evidence, without all possibility of reparation in a legall course, yet a crime of such a nature that His Majesties Command can no more warrant then it can any other act of injustice. It is true that those things which are evill in their owne nature, such as a false Testimony or false Accusation, cannot be the subject of any Command, or induce any Obligation of obedience upon any man by any authority whatsoever. Therefore the Attorney in this case was bound to refuse to execute such a Command, unlesse he had had some such evidence or testimony, as might have warranted him against the parties, and be lyable to make satisfaction, if it should prove false, and it is sufficiently knowne to every man and adjudged in Parliament, that the King can be neither Relator, Informer nor Witnesse. If it rest as it is without further satisfaction, no future Parliament can be safe, but that the Members may be taken and destroyed at pleasure; yea the very Principles of Governement and Justice will be in danger to be dissolved.

We doe not conceive that Numbers doe make an Assembly unlawfull, but when either the end or manner of their Carriage shall be unlawfull; Divers just occasions might draw the Citizens to *Westminster*, where many publike and private Petitions and other Causes were depending
in

in Parliament, and why that should be found more faulty in the Citizens, then the resort of great Numbers every day in the Terme to the ordinary Courts of Justice, we know not? That those Citizens were notoriously provoked and assaulted at *Westminster* by Collonell *Lunsford*, Captaine *Hide*, with divers others, and by some of the Servants of the Arch Bishop of *Torke*, is sufficiently proved, and that afterward they were more violently wounded, and most barbarously mangled with swords, by the Officers and Souldiers neare *White-Hall*, many of them being without Weapons, and giving no cause of distaste, as is likewise proved by severall Testimonies, but of any scandalous or seditious misdemeanours of theirs, that might give his Majesty good cause to suppose his owne Person, or those of his Royall Consort or Children to be in apparent danger, we have had no prooffe ever offered to either House, and if there had beene any Complaint of that kind, it is no doubt the Houses would have been as forward to joyne in an Order for the suppressing of such tumults, as they were not long before upon another occasion, when they made an Order to that purpose; whereas those Officers and Souldiers which committed that violence upon so many of the Citizens at *White-Hall*, were cherish'd and fostered in his Majesties House, and when, not long after the Common Councell of London presented a Petition to his Majesty, for reparation of those injuries, his Majesties answer was (without hearing the prooffe of the Complainants) that if any Citizen were wounded or ill intreated, his Majesty was confidently assured, that it hapned by their own evill and corrupt Demeanours.

We hope it cannot be thought contrary to the duty and wisdom of a Parliament, if many concurring and frequently reiterated and renewed advertisements from *Rome*, *Venice*, *Paris* and other parts, If the solicitations of the *Popes Nuncio* and our own discontented Fugitives doe make us jealous and watchfull for the safety of the State; and we have beene very carefull to make our expressions thereof so easie and so plain to the capacities and understandings of the people, that nothing might justly sticke with them with reflection upon the Person of his Majesty; wherein we appeale to the judgement of any indifferent person who shall reade and peruse our own words.

We must maintaine the ground of our Feares to be of that moment that we cannot discharge the trust and duty which lies upon us, unlesse we doe apply our selves to the use of those means to which the Law hath enabled us in cases of this nature for the necessary defence of

of the Kingdome, and as his Majesty doth graciously declare the Law shall be the measure of his Power, so doe we most heartily profess: that we shall alwaies make it the rule of our Obedience.

Prudent
omissions
in the An-
swer.

The next point of our Declaration was with much caution artificially passed over by him who drew his Majesties Answer, It being indeed the foundation of all our misery and his Majesties trouble, That he is pleased to heare generall Taxes upon his Parliament without any particular charge to which they may give satisfaction, and that he hath often conceived displeasure against particular persons upon misinformation: And although those Informations have been clearly proved to be false, yet he would never bring the Accusers to question, which layeth an impossibility upon honest men of clearing themselves, and gives encouragement unto false and unworthy persons, to trouble Him with untrue and groundlesse Informations. Three particulars wee mentioned in our Declaration, which the Penner of that Answer had good cause to omit, The words supposed to be spoken at *Kensington*, The pretended Articles against the Queene, and the groundlesse Accusation of the sixe Members of the Parliament, there being nothing to be said in Defence or Denyall of any of them.

Concerning his Majesties desire to joyne with his Parliament, and with his faithfull Subjects in defence of Religion, and publique good of the Kingdome, we doubt not but He will doe it fully, when evill Councillors shall be removed from about Him, and untill that be, as we shewed before of words: So must we also say of Lawes, that they cannot secure us, witnesse the Petition of Right which was followed with such an Inundation of Illegall Taxes, that we had just cause to thinke that the payment of 820000 l. was an easie burden to the Commonwealth in exchange of them, and we cannot but justly thinke that if there be a continuance of such ill Councillors and favour to them, they will by some wicked device or other make the Bill for the Trienniall Parliament, and those other excellent Lawes mentioned in his Majesties Declaration of lesse value then words.

That excellent Bill for the continuance of this Parliament was so necessary, that without it we could not have raysed so great summes of mony, for the service of his Majesty and the Commonwealth, as we have done, and without which the ruine and destruction of the Kingdome must needs have followed. And we are resolved the gracious favour of His Majesty expressed in that Bill, and the advantage and security which thereby we have from being dissolved, shall not encourage

to urge us to doe any thing which otherwise had not beene fit to have beene done, and we are ready to make it good before all the World, that although His Majesty hath passed many Bills very advantageous for the Subject, yet in none of them have we bereaved His Majesty of any just, necessary, or profitable Prerogative of the Crowne.

We so earnestly desire His Majesties returne to *London*, that upon it we conceive depends the very Safety and Being of both His Kingdoms; and therefore we must protest, that as for the time past, neither the Government of *London*, nor any Lawes of the Land have lost their Life and Force for his Security; so for the Future, we shall be ready to doe or say any thing that may stand with the Duty or Honour of a Parliament, which may raise a mutuall Confidence betwixt his Majesty and us, as wee doe wish and as the affairs of the Kingdome doe require.

Thus farre the Answer to that which is called His Majesties Declaration hath led us. Now wee come to that which is Intituled His Majesties Answer to the Petition of Both Houses, presented to Him at *York*, 26^o. *Marty* 1642. In the beginning wherof His Majesty willeth, *That our Priviledges on all parts Were so stated that this way of Correspondency might be preserved with that Freedome which hath beene used of old*: We know nothing introduced by us that gives any impediment hereunto; neither have we affirmed our Priviledges to be broken, when His Majesty denies us any thing, or gives a reason why He cannot grant it; or that those who advised such denyall were Enemies to the Peace of the Kingdome, and Favourers of the Irish Rebellion, in which Assertion that is turned into a Generall Assertion, which in our Votes is applyed to a particular Case: Wherefore we must maintaine our Votes, that Those who advised His Majesty to contradict that which both Houses in the Question concerning the *Militia* had declared to be Law, and command it should not so be obeyed, is a high Breach of Priviledge; and that those who advised His Majesty to absent Himselfe from His Parliament, are Enemies to the Peace of the Kingdome, and justly to be suspected to be Favourers of the Rebellion in *Ireland*. The reasons of both are Evident, because in the first there is as great a Derogation from the Trust and Authority of Parliament, and in the second as much advantage to the Proceedings and Hopes of the Rebels as may be, and we hold it a very causlesse Imputation upon the Parliament, that we have herein any way impeach'd,

much lesse taken away the freedome of His Majesties Votes, which doth not import a Liberty for His Majesty to deny any thing how necessary soever for the Preservation of the Kingdome, much lesse a Licence to evill Councellours to advise any thing though never so destructive to his Majesty and his People.

By the Message of the 20. of January, His Majesty did propound to both Houses of Parliament, *That they would with all speed fall into a serious Consideration of all those Particulars, which they should hold necessary as well for the upholding and maintaining His Majesties just and Regall Authority, and for the settling His Revenue, as for the present and future establishing our Priviledges, the free and quiet enjoying our Estates, the Liberties of our Persons, the Security of the true Religion, professed in the Church of England, and the settling of Ceremonies in such a manner as may take away all offence, and to digest it into one intire Body.*

To that point of upholding and maintaining His Royall Authority, we say nothing hath bin done to the prejudice of it, that should require any new provision. To the other of settling the Revenew, the Parliament hath no way abridged or disordered His just Revenew; but it is true that much wast and confusion of His Majesties Estate hath bin made by those evill and unfaithfull Ministers, whom hee hath imployed in the managing of it, wherby His Owne ordinary Expences would have beene disappointed, and the Safety of the Kingdome more endangered, if the Parliament had not in some measure provided for His Household, and for some of the Forts more then they were bound to doe, and they are still willing to settle such a Revenew upon His Majesty, as may make him live Royally, Plentifully and Safely, but they cannot in Wisdome and Fidelity to the Common-wealth doe this, till he shall chuse such Councellours and Officers as may order and dispose it to the publike good, and not apply it to the ruine and destruction of His People, as heretofore it hath been; but this and the other matters concerning our Selves, being Workes of great Importance and full of Intricacy will require so long a time of Deliberation, that the Kingdome might be ruined before we should effect them: Wherefore we thought it necessary first to be Suitors to His Majesty, so to order the *Militia*, that the Kingdome being secured, we might with more ease and safety apply our selves to debate of that Message, wherin we have bin interrupted by his Majesties Denyall of the Ordinance concerning the same; because it would have been in vain for us to labour in other things
and

and^d in the meane time to leave our selves naked to the Malice of so many Enemies, both at home and abroad; yet we have not been altogether negligent of those things which His Majesty is pleased to propound in that Message, we have agreed upon a Booke of Rates in a larger proportion then hath bin granted to any of His Majesties Predecessours, which is a considerable Support of His Majesties publike Charge, and have likewise prepared divers Propositions and Bills for Preservation of our Religion and Liberties, which we intend shortly to present to His Majesty, and to doe whatsoever is fit for us to make up this unpleasant Breach betwixt His Majesty and the Parliament.

Wheras divers Exceptions are here taken concerning the *Militia*; First, that *His Maiesty never denied the thing, but excepted the Persons, except for Corporations onely, that he denied the Way.*

To which we answer, That that Exception takes off *London*, and all other great Townes and Cities, which make a great part of the Kingdome. And for the way of Ordinance, it is ancient, more speedy, more easily alterable, and in all these and other Respects more proper and more appliable to the present Occasion then a Bill, which His Majestie calls the only good old way of imposing upon the Subjects. It should seeme that neither His Majesties Royall Predecessours nor our Ancestours have heretofore bin of that Opinion, for 37. Ed. 3. we finde this Record, *The Chancellour made Declaration of the Challenge of Parliament, the King desires to know the grieffe of His Subiects, and to redresse Enormities, the last day of the Parliament, the King demanded of the whole Estates, whether they would have such things as they agreed on by way of Ordinance or Statute, who answered by way of Ordinance, for that they might amend the same at their pleasures, and so it was.*

But His Majestie objects further, *That there is somewhat in the Preface to which He could not consent with Justice to His Honour and Innocency, and that thereby He is excluded from any Power in the disposing of it.*

These Objections may seeme somewhat, but indeed will appeare nothing, when it shall be considered that nothing in the Preamble laies any Charge upon His Majestie, nor in the body of that Ordinance, that excludes His Royall Authority in the disposing or Execution of it. But only 'tis provided that it should be signified by both Houses of Parliament, as that Channell through which it will be best derived, and most certainly to those ends for which it is intended, and let all the world judge, whether we have not reason to insist upon it, that the Strength

of the Kingdome should rather be ordered according to the Direction and Advise of the great Councell of the Land, equally intrusted by the King and by the Kingdome, then that the Safety of the King, Parliament and Kingdome should be left at the Devotion of a few unknowne Councillours, many of them not intrusted at all by the King in any publike way, nor at all confided in by the Kingdome.

We with the Danger were not imminent, or not still continuing, but cannot conceive that the long time spent in this Debate is evidence sufficient, that there was no such necessity or danger but a Bill might easily have bin prepared. For when many Causes doe concur to the Danger of a State, the Interruption of any one may hinder the Execution of the rest, and yet the Designe be still kept a foot for better opportunities. Who knowes whether the ill Successes of the Rebels in *Ireland* have not hindred the Insurrection of the Papists here? Whether the Preservation of the 6. Members of the Parliament, falsely accused, have not prevented that Plot of the breaking the Neck of the Parliament; of which we were informed from *France* not long before they were accused. Yet since His Majesty hath beene pleased to expresse His Pleasure, rather for a Bill then an Ordinance, and sent in one for that purpose, we readily entertained it, and with some small and necessary Alterations speedily passed the same. But contrary to the custome of Parliament and our Expectation grounded upon His Majesties owne Invitation of us to that way, and the other reasons manifested in our Declaration concerning the *Militia* of the 5. of *May*, instead of His Royall Assent we met with an absolute Refusall.

If the matter of these our Votes 15. and 16. of *March* be according to Law, we hope His Majesty will allow the Subjects to be bound by them; because he hath said, *He will make the Law the Rule of his Power*. And if the Question be, Whither that be Law which the Lords and Commons have once declared to be so, Who shall be the Judge? Not His Majesty; for the King judgeth not in matters of Law, but by His Courts; and His Courts, though sitting by His Authority, expect not His Assent in matters of Law. Not any other Courts, for they cannot judge in that case, because they are Inferiour; no Appeal lying to them from Parliament, the Judgement wherof is in the eye of the Law, the Kings Judgment in His Highest Court, though the King in His Person be neither Present nor Assenting therunto.

The Votes at which His Majesty takes Exceptions are these.

1. **T**hat the Kings absence so farre remote from his Parliament is not onely an Obstruction, but may be a Destruction to the affaires of Ireland.
2. That when the Lords and Commons shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Priviledge of Parliament.
3. That those Persons that advised his Maiesty to absent himselfe from the Parliament, are Enemies to the Peace of the Kingdome, and iustly to be suspected to be Favourers of the Rebellion in Ireland.

That the Kingdome hath been of late, and still is in evident and imminent danger, both from Enemies abroad, and a Popish and discontented Party at home, that there is an urgent and inevitable necessity of putting his Maiesties Subiects into a Posture of Defence, for the safeguard both of his Maiesty and his People.

That the Lords and Commons fully apprehending this Danger, and being sensible of their owne Duty, to provide a sutable Prevention, have in severall Petitions addressed themselves to his Maiesty for the Ordering and disposing of the Militia of the Kingdome, in such a way as was agreed upon by the Wisedome of both Houses to be most effectuell and proper for the present Exigents of the Kingdome, yet could not obtaine it, but his Maiesty did severall times refuse to give his Royall Assent therunto.

That in this Case of extreame Danger, and his Maiesties Refusall, the Ordinance of Parliament, agreed upon by both Houses for the Militia, doth oblige the People, and ought to be obeyed by the Fundamentall Lawes of this Kingdome.

BY all which, it doth appeare, that there is no colour of this Taxe, that we goe about to introduce a new Law, much lesse to exercise an Arbitrary Power, but indeed to prevent it : For this Law is as old as the Kingdome, That the Kingdome must not be without a meanes to preserve it selfe : Which that it may be done without Confusion, this Nation hath intrusted certaine hands with a Power to provide in an Orderly and Regular Way for the good and safety of the whole, which Power by the Constitution of this Kingdome is in His Majesty and His Parliament together ; yet since the Prince being but One Person, is more subject to Accidents of Nature and Chance, whereby the Common-wealth may be deprived of the Fruit of that Trust which was in part reposed in Him in Cases of such Necessity ; That the Kingdome may not be enforced presently to returne to it's first Principles, and every man left to doe what is right in his owne eyes, without either guide or Rule : The Wisdome of this State hath intrusted the Houses of Parliament with a Power to supply what shall be wanting on the part of the Prince, as is evident by the constant Custome and Practise thereof in Cases of Non-age, naturall Disability and Captivity, and the like Reason doth and must hold for the exercise of the same Power in such Cases, where the Royall Trust cannot be or is not discharged, and that the Kingdome runs an evident and imminent Danger thereby, which Danger having been declared by the Lords and Commons in Parliament, there needs not the Authority of any Person or Court to affirme ; Nor is it in the Power of any Person or Court to revoke that Judgement.

We know the King hath wayes enough in his Ordinary Courts of Justice to punish such seditious Pamphlets and Sermons as are any way prejudiciall to his Rights, Honour and Authority : And if any of them have been so insolently violated and vilified, his Majesties own Councell and Officers have been to blame, and not the Parliament : We never did restrain any Proceedings of that kind in other Courts, nor refuse any fit Complaint to us. The Protestation protested was referr'd by the Commons House to a Committee, and the Authour being not produced, the Printer committed to Prison, and the Booke voted by that Committee to be burnt : but Sir *Edward Deering* who was to make that Report of the Votes of that Committe neglected to make it : The Apprentizes Protestation was never complained of ; but the other seditious Pamphlet, *To your Tent O Israel*, was once questioned, and

the full Prosecution of it was not interrupted by any fault of either House, whose Forwardnesse to doe his Majesty all Right therein, may plainly appeare in that a Committee of Lords and Commons purposely appointed to take such Informations as the Kings Councill should present concerning Seditious Words, Practises or Tumults, Pamphlets or Sermons, tending to the Derogation of his Majesties Rights or Prerogative, and his Majesties Councill were enjoyned by that Committee to enquire and present them, who severall times met thereupon, and received this Answer and Declaration from the Kings Councill, that they knew of no such thing as yet.

If his Majesty had used the Service of such a one in penning this Answer, who understood the Lawes and Government of this Kingdome, He would not have thought it legally in his Power to deny his Parliament a Guard when they stood in need of it, since every ordinary Court hath it; Neither would His Majesty if He had been well inform'd of the Lawes, have refused such a Guard as they desired, it being in the Power of Inferiour Courts to command their owne Guard; Neither would He have imposed upon them such a Guard under a Commander which they could not confide in, which is clearly against the Priviledge of Parliament, and of which they found very dangerous Effects, and therefore desired to have it discharged: But such a Guard, and so commanded, as the Houses of Parliament desired, they could never obtaine of His Majesty, and the placing of a Guard about them contrary to their desire, was not to grant a Guard to them, but in Effect to set one upon them.

All which considered, we beleeeve in the Judgement of any indifferent Persons it will not be thought strange, if there were a more then ordinary resort of People at *Westminster*, of such as came willingly of their owne accord to be Witnesses and Helpers of the safety of them, whom all His Majesties good Subjects are bound to defend from Violence and Danger: Or that such a Concourse as this, they carrying themselves quietly and peaceably (as they did) ought in His Majesties apprehension, or can in the Interpretation of the Law be held Tumultuary and Seditious.

When his Majesty in that Question of Violation of the Lawes had expressed the observation of them indefinitely without any limitation of time, although we never said or thought any thing that might look like a Reproach to his Majesty, yet we had reason to remember that it had bin otherwise, lest we should seeme to desert our former Com-

Complaints and Proceedings thereupon, as His Majesty doth seeme but little to like or approve of them : For although he doe acknowledge here that great mischief that grew by that Arbitrary Power then complained of ; Yet such are continually preferr'd and countenanc'd, as were Friends or Favourers, or related unto the chiefe Attorneys and Actors of that Arbitrary Power, and of these false Colours Suggestion of imminent Danger and Necessity, wherby they did make it plausible unto his Majesty ; And on the other side, such as did appeare against them are daily discountenanc'd and disgraced ; Which, whilst it shall be so, we have no Reason to Judge the Disease to be yet killed and dead at root, and therefore no Reason to bury it in Oblivion : And whilst we behold the Spawnes of these mischievous Principles cherished and fostered in that New Generation of Councellers, Friends and Abettors of the former, or at least concurring with them in their Malignancy against the Proceedings of this Parliament, we cannot thinke our selves secure from the like or a worse Danger.

And here the Penner of this Answer bestowes an Admonition upon the Parliament, bidding us take heed we fall not upon the same Error upon the same Suggestions : But he might have well spared this till he could have shewed wherein we had exercised any Power otherwise than by the Rule of the Law, or could have found a more Authentique higher Judge in matter of Law then the High Court of Parliament.

It is declared in his Majesties Name, That he is resolved to keep the Rule himselfe, and to His Power to require the same of all others. We must needs acknowledge that such a Resolution is like to bring much Happinesse and Blessing to his Majesty and all his Kingdomes ; Yet with Humility we must confesse we have not the Fruit of it in the Case of my Lord Kimbolton, and the other five Members accused contrary to Law, both Common Law, and the Statute Law, and yet remaineth unsatisfied : Which Case was remembred in our Declaration as a strange and unheard of Violation of our Lawes : But the Penner of this Answer thought it fit to passe it over, hoping that many would reade His Majesties Answer, which hath been so carefully dispersed, which would not reade our Declaration.

Whereas, after our ample Thanks and Acknowledgement of His Majesties Favour in passing many good Bills, *We said that Truth and Necessity inforced us to adde this, That in or about the time of passing those Bills, some Designe or other hath beene afoot, which if it had taken Effect, would not onely have deprived us of the Fruit of those Bills*

It would have reduced us to a worse condition of confusion, then that wherein the Parliament found us, It is now told us that the King must be most sensible of what we cast upon Him for requitall of those good Bits, whereas out of our usuall tendernes of His Majesties Honour, we did not mention Him at all; but so invidious are those wicked Councillors to the Name and Honor of their Master and Sovereigne, that as much as they can they lay their own infamy and guilt upon His Shoulders.

Here God alho is called to witnesse His Majesties upright Intentions at the Passing those Laws; this we will not question, neither did we give any occasion of such a solemn Asseveration as this is. The Divell is likewise desied to prove there was any Designe with his Majesties knowledge or privy; This might well have bin spared, for we spake nothing of His Majesty, but since we are so farre taxed as to have it affirmed, that we laid a notorious and false Imputation upon His Majesty, we have thought it necessary for the just Defence of our own Innocency, to cause the Oaths & Examinations which have bin taken concerning the Designe to be published in a full Narration for satisfaction of all His Majesties Subjects, out of which we shall now offer some few particulars, wherby the world may judge whither we could have proceeded with more tendernes towards his Maty, then we have done.

Mr. Goring confesseth that the King first ask'd him, *Whither he were ingaged in any Caball concerning the Army, and commanded him to joyn with M. Percy and M. Iermin and some other whom they should find within at M. Percies Chamber, where they tooke the Oath of Secrecy*; and then debated of a Designe propounded by M. Jermin, to secure the Tower, and to consider of bringing up the Army to London, and Cap. Legg confessed he had received the draught of a Petition in the Kings presence, and His Majesty acknowledged it was from His own Hand, and whosoever reads the sum of that Petition, as it was proved by the Testimony of Sr. Ja. Ashley, S. John Conyers and Cap. Legg, will easily perceive some points in it, apt to beget in them some discontent against the Parliament: And can any man believe there was no designe in the Accusation of the L. Kimbolton and the rest, in which his Majesty doth avow himself to be both Commander and an Actor; these things being so, it will easily appear to be as much against the Rules of Prudence that the Penner of this Answer should intangle his Majesty in this unnecessary Apology, as it is against the rules of Justice, that any reparation from us should be either yeilded or demanded.

It is profest in his Majesties Name, that he is truly sensible of the burdens of his People, w^{ch} makes us hope that he will take that course w^{ch} will be most effectual to ease them of these burdens, that is, to joyn with his Parliament in preserving the peace of the Kingdom, w^{ch} by his absence from them hath bin much indangered, and w^{ch} by hindring the voluntary adventures for recovery of Ireland, and disabling the Subjects to discharge the great tax laid upon them is like to make the warre much more heavy to the Kingdom. And for his Majesties wants, the Parliament have bin no cause of them, we have not diminish'd his just Revenue, but have much

eased His publike charge and somewhat his private, and we shall be ready in a Parliamentary way to settle his Revenue in such an honorable proportion, as may be answerable to both, when he shall put Himself into such a Posture of Government that His Subjects may be secure to enjoy His just protection for their Religion, Laws and Liberties.

We never refused his Majesties gracious offer of a free and generall Pardon, only we said it could be no Security to our present fears and jealousies, and we gave a reason for it, that those fears did not arise out of any guilt of our own Actions, but out of the evill Designs and Attempts of others, and we leave it to the world to judge, whither we herein have deserved so heavy a tax and exclamation (*that it was a strange world when Princes proffered favors, are counted reproaches*, such are the words of his Majesties Answer) who do esteem that offer as an act of Princely Grace and Bounty, w^h since this Parliament began we have humbly desired we might obtain, and do still hold it very necessary and advantageous for the generality of the Subject upon whom these Taxes and Subsidies lie heaviest; but we see upon every occasion how unhappy we are in his Majesties misapprehensions of our words and actions.

We are fully of the Kings mind, as it is here declared, that he may rest so secure of the Affections of his Subjects, that he should not stand in need of forreine force to preserve him from Oppression, and are confident that he shall never want an abundant evidence of the good wishes and assistance of his whole Kingdom, especially if he shall be pleased to hold to that gracious resolution of building upon that sure foundation, *The Law of the Land*; but why his Majesty should take it ill, that we having received Informations so deeply concerning the safety of the Kingdom, and should thinke them fit to be considered of, we cannot conceive; for although the Name of the person was unknown, yet that which was more substantiall to the probability of the Report was known (that is) that he was a Servant to the *L. Digby*, who in his presumptuous Letter to the Queens Majesty, and other Letters to Sir *Lewis Dives* had intimated some wicked Proposition sutable to that Information; but that this should require reparation, we hold it as far from Justice as it is from Truth, that we have mixt any malice with these rumours, thereby to feed the fears and jealousies of the People.

It is affirmed His Majesty *is driven* (but not by us, yet) *from us*; perchance hereafter if there be opportunity of gaining more credit, there will not be wanting, who will suggest unto his Majesty that it is done by us. And if his Majesty were driven from us, we hope it was not by his owne feares, but by the feares of the *L. Digby*, and his Retinue of Cavaleers, and that no feares of any tumultuary Violence, but of their just punishment for their manifold Insolence & intended Violence against the Parliament, and this is expressed by the *L. Digby* himself, when he told those Cavaleers that the principall Cause of his Majesties going out of Town was to save them from being trampled in the durt, but of his Majesties Person there was no cause of feare in

in the greatest heate of the Peoples Indignation after the Accufation, and his Majesties violent comming to the House, there was no shew of any evill intention against his Regall Person, of which there can be no better Evidence then this, that he came the next day without a Guard into the City, where he heard nothing but Prayers and Petitions, no Threatnings or irreverent Speeches that might give him any just occasion of feare that we have heard of, or that his Majesty exprest ; for he stayed near a Week after at *White-hall*, in a secure and peaceable Condition, wherby we are induced to beleewe that there is no Difficulty nor doubt at all but his Majesties Residence near *London* may be as safe as in any part of the Kingdome. We are most assured of the faithfulness of the City and Suburbs, and for our selves we shall quicken the Vigour of the Lawes, the Industry of the Magistrate, the Authority of Parliament for the suppressing of all tumultuary Insolencies whatsoever, & for the vindicating of his Honour from all insupportable and insolent Scandals, if any such shall be found to be raised upon him, as are mentioned in this Answer, and therefore we think it altogether unnecessary and exceeding inconvenient to adjourne the Parliament to any other place.

Where the Desire of a good Understanding betwixt the King and the Parliament is on both Parts so earnest, as is here profest of His Majesty to be in him, and we have sufficiently testified to be in our selves, it seems strange we should be so long asunder, it can be nothing else but evill and malicious Councell, misrepresenting our Carriage to Him, and indisposing his favour to us. ; And as it shall be far from us to take any Advantage of his Majesties supposed Straights, as to desire, much lesse to compell Him to that which His Honour or Interest may render unpleasant & grievous to Him: So we hope that His Majesty will not make his owne Understanding or Reason the Rule of his Government, but will suffer himself to be assisted with a wise and Prudent Councell, that may deale faithfully betwixt Him and His People ; And that He will remember that His Resolutions doe concerne a Kingdome, and therefore ought not to be moulded by his Own, much lesse by any other private Reason, which is not a Light proportionable to so great a Trust ; and therefore we still desire and hope that His Majesty will not be guided by His own Understanding, or to think the se Courses, straights and necessities to which he shall be advised by the wisdom of both Houses of Parliament, which are the eyes in this Politick Body, wherby his Majesty is by the Constitution of this Kingdom to discern the differences of those things which concerne the Publique Peace and safety thereof. -

We have given His Majesty no Cause to say that we do meanly value the discharge of his Publique Duty, whatsoever Acts of Grace or Justice have bin done, they proceeded from His Majesty by the Advice and Councell of His Parliament ; Yet we have, and shall alwayes answer them with constant Gratitude, Obedience and Affection : And although many things have bin done since this Parliament of another Nature, yet we shall not cease to desire the continued Protection of Almighty God

His Majesty, and most humbly petition him to cast from him all those evil and contrary Counsels, which have in many particulars formerly mentioned, much detracted from the Honour of His Government, the Happinoss of His own Estate, and Prosperity of His People.

And having past so many dangers from abroad, so many Conspiracies at home, and brought on the publike worke so farre through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of Incessse, that nothing seemes to be left in our way able to hinder the full accomplishment of our desire and endeavour for the publike good, unlesse God in his Justice send such a grievous curse upon us, as to turne the Strength of the Kingdome against it selfe, and to effect that by their owne folly and credulity, which the power and subtilty of their and our enemies could not attaine, that is, to divide the People from the Parliament, and to make them serviceable to the ends and aymes of those who would destroy them. Therefore we desire the Kingdome to take Notice of this last most desperate and mischievous Plot of the Malignant Party that is acted and prosecuted in many Parts of the Kingdome under plausible Notions of furring them up to a care of preserving the Kings Prerogative, maintaining the Discipline of the Church, upholding and continuing the Reverence and Solemnity of Gods Service, encouraging of Learning: And upon these Grounds divers Mutinous Petitions have been framed in London, Kent, and other Countie, and sundry of his Majesties Subjects have been solicited to declare themselves for the King against the Parliament, and many false and foule Aspersions have been cast upon our Proceedings, as if we had been not onely negligent, but averse in these Points: Whereas we desire nothing more then to maintaine the Purity and Power of Religion, and to Honour the King in all his just Prerogatives; And for encouragement and advancement of Piety and Learning, we have very earnestly endeavoured, and still doe to the uttermost of our Power, that all Parishes may have learned, pious, and sufficient Preachers, and all such Preachers competent Livings.

Many other Bills and Propositions are in preparation for the Kings Profit and Honour, the Peoples Safety and Prosperity: In the Proceedings whereof, we are much hindred by his Majesties Absence from the Parliament, which is altogether contrary to the Use of His Predecessors, and the Priviledges of Parliament, whereby our Time is consumed by a multitude of unnecessary Messages, and our Innocency wounded by causelesse and sharp Invectives; yet we doubt not but we shall overcome all this at last, if the People suffer not themselves to be deluded with false and specious Shewes, and so drawne to betray us to their owne undoing, who have ever been willing to hazard the undoing of our selves, that they might not be betrayed by our neglect of the Trust reposed in us; but if it were possible they should prevaile herein; yet we would not faile through Gods Grace still to persist in our Duties, and to looke beyond our owne Lives, Estates and Advantages, as those who thinke nothing worth the enjoying, without the Liberty, Peace and Safetie of the Kingdome; Nor any thing too good to be hazarded in Discharge of our Consciences for the obtaining of it; And shall alwayes repose our selves upon the Protection of Almighty God, which we are confident shall never be wanting to us (while we seeke His Glory) as we have found it hitherto wonderfully going along with us in all our Proceedings.

It is his Majesties pleasure that you forthwith Print in very good Paper, and send unto me for his Majesties service forty Copies of the Proclamation inclosed, leaving a convenient space for his Majesty to signe above, and to fix the Privy Signet underneath, and his Majesties expresse Command is, that you Print not above the said number of 40. copies, and forbear to make any further publication of them till his pleasure be further signified, for which this shall be your Warrant.

White hall, January 2. 1641.

Edw. Nicholas.

For his Majesties Printer.

Divers Depositions and Letters ap-

pertaining to the Remonstrance, agreed upon
by the Lords and Commons assembled
in Parliament, *Die Jovis, 19. Maii 1642.*

*The Examination of Colonell Goring, taken
June 19. 1641.*

To the first In. **H** E saith, That in *Lent* last (as he remembers) about the middle of it, Sir *John Suckling* came to him on *Sunday* morning as he was in his bed, and this Examinee conceiving he had come to him about some businesse of money that was betweene them; and thereupon falling upon that discourse, Sir *John Suckling* told him he was then come about another businesse, which was to acquaint him, That there was a purpose of bringing the Army to London, And that my Lord of New-castle was to be Generall, and he, this Examinee, Lieutenant Generall, if he would accept of it. And further said, That he would heare more of this businesse at Court: to which this Examinee answered only this, *Wel,* then I will go to the Court; which was all that passed betweene them at that time, to the best of his Examines remembrance.

To the second, He cannot depose.

To the third, He saith, That as he was comming in his Coach in the streete, out of the *Covent-Garden* into *S. Martins Lane*, he met there Mr. *Henry Iermin*, who was likewise in a Coach; and seeing this Examinee, sent his Foot-man to him, desiring him to follow him, because he would speak with him; which this Examinee did: And Mr. *Iermin* going a little further, alighted, and went into a house (to which house, as this Examinee was but yesterday informed, Sir *John Suckling* did then usually resort) and thither this Examinee followed him; and comming after him to the top of the Stayres, Mr. *Iermin* said to him, He had somewhat to say to him concerning the Army, but that this was no fit place to speak of it, and desired him to meet him that evening at the Court, on the *Queenes* side; which this Examinee accordingly did; and meeting Mr. *Iermin* in the *Queenes* drawing Chamber, he was there told by him, That the *Queen* would speak with him, and therupon Mr. *Iermin* brought him into the *Queens* Bed-chamber: But before this Examinee could enter into any discourse with the *Queen*, the

King came in, and then this Examinee did withdraw, and went away for that time, but returned again the same night, and met Mr. *Iermyn* again on the Queens side; who told him that he must necessarily meet with some Officers of the Army, to heare some Propositions concerning the Army. The next day being Monday, this Examinee came again to the Court in the after-noon, and went into the Queens drawing-Chamber, where His Majesty then was, who was pleased to tell him that the King would speake with him, and bad him repaire to the roome within the Gallery, into which Room the King soon after came; and His Majesty asked him, if he was engaged in any Cabale concerning the Army: to which he answered, That he was not: whereupon His Majesty replied, I command you then to joyne your selfe with *Percy*, and some others whom you will finde with him. And his Majesty likewise said, I have a desire to put my Army in a good posture, and am advised unto it by my Lord of *Bristoll*: which was the effect of what passed betweene the King and the Examinee at that time. The Examinee meeting afterwards with Mr. *Iermyn*, Mr. *Iermyn* told him that they were to meet at evening at nine of the clocke with Mr. *Percy*, and some others, at Mr. *Percies* Chamber; and accordingly Mr. *Iermyn* and he went thither together, and there found Mr. *Percy* himself, Mr. *Vilmot*, Mr. *Asburnham*, Mr. *Pollard* Mr. *Oneale*, and Sir *John Bartley*; Mr. *Percy* then in the first place tendered an Oath to this Examinee and Mr. *Iermyn*, the rest saying they had taken that Oath already: this Oath was prepared in writing, and was to this effect, *That they should neither directly nor indirectly disclose any thing of that which should be then said unto them, nor think themselves absolved from the secrecy enjoyned by this Oath, by any other Oath which should be afterwards taken by them.* They having taken the Oath, Mr. *Percy* declared, That they were resolved not to admit of any body else into their Councells: And Mr. *Iermyn* and this Examinee moved that Sir *John Suckling* might be received amongst them; which being opposed by the rest, after some debate, it was laid aside: and some speech there was of Sir *John Suckling* his being imployed in the Army; but how it was agreed upon, this Examinee doth not remember.

After this Mr. *Percy* made his Propositions, which he read out of a paper; which were to this effect, That the Army should presently be put into a posture to serve the King, and then should send up a Declaration to the Parliament, of these particulars, viz. That
nothing

nothing should be done in Parliament contrary to any former Act of Parliament, which was explained, That Bishops should be maintained in their Votes and Functions. And the Kings revenue be established. From these Propositions none of *M. Percies* Company did declare themselves to dissent. Then came into consideration, if the Army should not immediatly be brought to London, which, as this Examinee remembers, was first propounded by *Mr. Iermyn*, and also the making sure of the Tower. These things this Examinee did urge, to shew the vanity and danger of the other Propositions, without undertaking this. In the conclusion, this Examinee did protest against his having any thing to do in either design; for the prooffe of which, he appeales to the consciences of them that were present, and so parted with them. About this businesse this Examinee saith, That they had two meetings, and cannot distinguish what passed at the one, and what at the other, but the result of all was as he formerly declared: further then which, he cannot depose.

To the fourth Int. He can say no more then he hath already said.

To the fifth Int. He saith, That the very day that *Sir John Suckling* first moved this unto him, he gave some touch of it to my Lord *Dungarvan*: and the day after his second meeting at *Mr. Percies* Chamber, he discovered it to the Lord of *Newport*, and desired him to bring him to some other Lords, such as might be likeliest to prevent all mischief: and accordingly the next day my Lord of *Newport* brought him to my Lord of *Bedford*, my Lord *Say*, and my Lord *Mandevill*, to whom he imparted the maine of the businesse, but not the particulars, in regard of his Oath; and desired them to make use of it as they should see cause, for the safety of the Common wealth, but not to produce him, nor name any person, except there were a necessity for it. He further saith, That he did at the same time make a Protestation unto those Lords of his fidelity unto the Common-wealth, and of his readinesse to run all hazards for it.

George Goring.

Master Percies Letter written to the

Earle of Northumberland, June 14. 1641.

WHat with my own innocency and the violence I heare is against me, I finde my self much distracted, I will not ask your counsell, because it may bring preiudice upon you; but I will with all faithfulness and truth tell you what my part hath beene, that at least I may be cleared by you whatsoever becomes of me.

When there was 50000. pound designed by the Parliament for the English army, there was as I take it a sudden demand made by the Scots at the same time of 25000. pound, of which there was but 15000. pound ready, this they pressed with so much necessity as the Parliament after an Order made, did think it fit for them to deduct 10000. li. out of the 50. formerly granted, upon which the souldiers in our house were more scandalized, amongst which I was one, and sitting by *Wilmott* and *Asburnham*, *Wilmott* stood up and told them, if such papers as that of the Scots would procure monies, he doubted not but the Officers of the English Army might easily do the like, but the first order was reversed notwithstanding, and the 10000. pound given to the Scots; this was the cause of many discourtes of dislike amongst us, and came to this purpose, that they were disobliged by the Parliament; and not by the King, this being said often one to another, we did resolve, that is, *Wilmott*, *Asburnham*, *Pollard*, *Oneale*, and my selfe to make some expression of serving the King in all things hee would command us, that were honourable for him and us, being likewise agreeable to the fundamentall laws of the kingdome, that so far we should live and die with him. This was agreed upon by us, not having any communication with others, that I am coupled now withall; and further, by their ioynt consent I was to tell his Maiesty thus much from them; but withall I was to order the matter so, as that the King might apprehend this as a great service done unto him, at this time when his affaires were in so ill a condition, and they were most confident that they could ingage the whole Army thus far, but further they would undertake nothing, because they would neither infringe the liberties of the Subiect, or destroy the Laws, to which I and every one consented; and having their sence, I drew the Heads up in a paper, to which they all approved when I read it, and then we did by an oath promise to one another to be constant and secret in all this, and did all of us
take

take that oath together. Well Sirs, I must now be informed what your particular desires are, that so I may be the better able to serve you, which they were pleased to do, and I did very faithfully serve them therein, as far as I could: this is the truth and all the truth upon my soul. In particular discourses after that, we did fall upon the petitioning the King and Parliament for money, there being so great arrears due to us, and so much delays made in the procuring of them, but that was never done.

The preserving of Bishops functions and votes.

The not disbanding of the Irish Army, untill the Scots were disbanded too.

The endeavouring to settle his revenue to that proportion it was formerly, and it was resolved by us all, if the King should require our assistance in these things, that as far as we could, we might contribute thereunto without breaking the Lawes of the Kingdome, and in case the King should deny these things being put to them, we would not flie from him.

All these persons did act and concur in this as well as I. This being all imparted to the King by me from them, I perceived he had beene treated with by others concerning something of our Army, which did not agree with what we proposed, but enclined a way more high and sharp, not having limits either of Honour or Law, I told the King he might be pleased to consider with himself, which way it was fit for him to hearken unto. For us, we were resolved not to depart from our grounds, and if he imployed others we should not be displeased whosoever they were: but the particulars of their designe, or the persons, we desired not to know, though it was no hard matter to guesse at them; in the end I beleeve the dangers of the one, and the iustice of the other, made the King tell me he would leave all thoughts of other propositions but ours, as things not practicable, but desired notwithstanding that *Goring* and *Iermin*, who were acquainted with the other proceedings, should be admitted amongst us: I told him, I thought the other Gentlemen would never consent to it, but I would propose it; which I did, and we were all much against it; but the King did presse it so much, as at the last, it was consented unto, and *Goring* and *Iermin* came to my chamber, there I was appointed to tell them, after they had sworn to secrecy, what we had proposed, which I did: but before I go on to the debate of the wayes, I must tell you, Mr. *Iermin* and *Goring* were very earnest *Suckling* should

be admitted, which we did all decline; and I was desired by all our men to be resolute in it, which I was, and gave many reasons; whereupon I remember M. *Goring* made answer, he was so engaged with *Suckling*, he could not go or do any thing without him. Yet in the end, so that we would not oppose *Suckling* his being employed in the Army, that for his meeting with us they were contented to passe it by. Then we took up again, the wayes were proposed, which took a great debate, and theirs (I will say) differed from ours in violence, and height, which we all protested against and parted, disagreeing totally; yet remitting it to be spoken of by me, and *Iermin*, to the King, which we both did. And the King constant to his former resolution told him, that all those wayes were vain and foolish, and would think of them no more. I omitted one thing of M. *Goring*, he desired to know, how the chief commanders were to be disposed of, for if he had not a condition worthy of him, he would not go along with us, we made answer that no body had thought of that, we intending if we were sent down, to go all in the same capacity we were in, he did not like that by no means, and upon that did work so by M. *Chidley*, that there was a Letter sent by some of the Commanders to make him Lieutenant Generall: and when he had ordered this matter at London, & Mr. *Chidley* had his instructions, then did hee goe to Portsmouth pretending to be absent when this was a working: we all desired my L. of Essex or my L. of Holland, & they (if there were a Generall) Newcastle, They were pleased to give out a report I should be generall of the Horse; but I protest, neither to the King, or any else did I ever so much as think of it: my L. of Holland was made generall and so all things were laid aside: & this is the truth, and all the truth I know of all these proceedings; and this I do and will protest upon my faith; and *Wilmott*, *Ashburnham*, and *Oneale*, have at severall times confessed & sworne, I never said any thing in this business, they did not every one agree unto, & would justifie. This relation I send you, rather to inform you of the truth of the matter, that you may know the better how to do me good: But I should think my self very unhappy to be made a betrayer of any body; what concerned the Tower or any thing else I never medled with, all, nor never spake with *Goring*, but that night before them all, and I said nothing but what was consented unto by all my party, I never spoke one word to *Suckling*, *Carnarvan*, *Davenant*, or other creature: me thinks if my friends & kindred knew the truth & injustice of this matter, it were no hard matter to serve me in some measure,

*Die Martis 10. Mali, 1640.***The Examination of Captain James Chndleigh.***To the first Interrogatory, and to the second;*

THis Deponent saith, that about March and April last, he was at Burrowbrig, where divers Officers and Commanders of the Army met, to whom he used some speeches concerning the Parliament, that hee saw no probability that the Army would be suddenly paid by the Parliament, because they had promised so much to the King, and to the Scots, as well as to the Army; but that the King did commiserate their case, and said, That if they would be faithfull to him, he would pawne his Jewels rather than they should be unpaid; and saith further, that he knows off such a Letter sent by the Army to my Lord of Northumberland, to be shewed to the Parliament; and that he told them at that meeting that the Parliament was much displeased with that Letter, and that those who had subscribed it should be sent for up particularly, that my Lord of Essex, and my Lord of Newport had expressed much dislike of that Letter, and of them who had sent it, and said that they had forfeited their necks: which he had from Sir *John Suckling*, Mr. *Davenant*, and (as he conceives) from Sergeant Ma^rior *Villis*, and this he declared to those Officers, as giving them an account of his iourney, and the service in which they had imployed him.

To the third Interrogatory;

He saith he hath answered before.

To the fourth Interrogatory;

That Sergeant ma^rior *Villis* told him upon the way, as they were in their iourney down into the North, that Colonell *Goring* was a brave gentleman, and fit to command the Army, and that the King had a good inclination to him, that he should be Lieutenant General, and saith further, that before he came out of London, Sir *John Suckling* had likewise highly commended him, and said he was fitter to command in chief, then any man he knew, and that the Army was not now considerable, being without a head, and indeed was but a party (Colonell *Goring* being away) who commanded a Brigado, and that they did undiscreeuly to shew their teeth, except they could bite, which the said Sir *John Suckling* wished him to declare unto the Army, saying, He could not doe a better service to the Officers who had imployed him, then to let them know it, whereupon he did acquaint them with it accordingly.

To

To the fifth Interrogatory ;

That Sir *John Suckling* brought him into some roome of the Queenes side at White Hall, where Master *Jermin*, and he had private conference together, and oftentimes looked towards this Deponent : Sir *John Suckling* afterwards told him, that the King would be well pleased, if the Army would receive Colonell *Goring* to be their Lieutenant generall, and said that Mr. *Henry Jermyn* said so.

To the sixth Interrogatory ;

That Master *Davenant* told him, that things were not here as they were apprehended in the Army, for that the Parliament was so well effected to the Scots, as that there was no likelihood the Army should have satisfaction so soone as they expected it.

To the seventh Interrogatory ;

That when he brought the Letter from the Army, he met with Master *Davenant*, who told him it was a matter of greater consequence than he imagined, and thereupon brought him to Master *Henry Jermyn*, and Master *Jermyn* told him he heard he brought such a Letter, and asked to see a Copy of it, which this Deponent did show unto him, and Master *Jermyn* asked if he might not shew it to the Queene, and offered to bring this Deponent to her, which he excused himselfe of, lest he should have anticipated my Lord Generall from shewing the Letter first himselfe.

The eighth Interrogatory ;

That after he had brought up that Letter, he staid some 8. or 9. dayes in London, before he returned downe to the Army.

To the ninth Interrogatory ;

That Sergeant Major *Willis* told him most of the noble Gentlemen in England would shew themselves for the Army : and that the French that were about London would receive Commanders from them, to ioyn with them : And besides, that there would a thousand horse likewise be raised to come to their assistance, which horse at last he confessed were to be found by the Clergy.

To the tenth Interrogatory ;

That Sergeant Major *VWillis* said moreover, that the Army would be very well kept together, for that the Prince was to be brought thither, which would confirme their affections: which this Deponent did declare at Burrowbrig unto the Officers: and doth beleve *VWillis* did the like ; and *VWillis* told them also, that if my Lord of Newcastle was their Generall, he would feast them in Nottinghamshire, and would not use them roughly, but that they should be governed by a Councell of warre.

To

To the eleventh Inter.

That both Serjeant Major *Willis* and this Deponent, did perswade the Officers at that meeting, to write a Letter to Colonell *Goring*, which was to let him know, that they would heartily embrace him to bee their Lieutenant Generall, if it was his Majesties pleasure to send him downe, which letter was subscribed by Colonell *Fielding* and Colonell *Vavasour*, and divers others; and was by him brought to London upon Monday, where not finding Colonell *Goring*, hee delivered it to Sir *John Sucklin*, who carried it to the King, and afterwards brought him to kisse the King and Queenes hand, and within a day or two returned the Letter to him againe, which Letter this Deponent the Saturday after carried downe himselfe to Colonell *Goring* to Portsmouth.

To the 12. Inter.

That there was likewise a Letter written to Mr. *Endimion Porter*, assigned by Colonel *William Vavasour* and Colonell *Fielding*, which was to this effect, to desire him to inform his Majesty, that the Army was very faithfull to him, and no doubt need be made by his Majesty concerning their proceedings. This Letter Sir *John Sucklin* would not have to be delivered, but took it himself, for that he said Mr. *Porter* knew nothing of the Kings intentions.

To the 14. Inter.

That when he came to Portsmouth, Colonell *Goring* shewed him the strength of that place, and told him, that if there should be any mutiny in London, the Queene meant to come downe thither for her safety, and that she had sent him downe money to fortifie it.

To the 15. Inter.

That what he learned from Serjeant Major *Willis*, he got from him by degrees, as he urged it from him by way of discourse; and that *Willis*, Sir *John Sucklin*, and Mr. *Davenant*, did all of them give him great charge to keepe things secret, and to be very carefull to whom he communicated any thing, which he accordingly observed; for hee dealt with the Officers there severally.

James Chudleigh.

This Examination was taken in the presence of us,

Essex. P. Howard. Warwick. W. Howard.

Die Martis 18. Maii.

The second Examination of Cap. *Chudleigh*.

To the 31.

That at the meeting at Burrowbrig, hee declared unto the Officers something out of a paper, which he read, and told them that he had

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received it from Mr. *Iermin*, and that Mr. *Jermin* had received it from the King. And he said likewise, that some others about the King were acquainted with it, and named Mr. *Endimion Porter*, to whom hee thought the King had declared in this businesse.

To the 34.

That Mr. *Iermin* asked him, if hee thought the Army would sticke to their Officers, in case the King and Parliament should not agree, or words to that effect.

He saith further, that he had set downe all those things in writing, which he declared to the Officers at Burrowbrig, and thought to have sent it downe to them, but upon better consideration he went himselfe, and read it to them out of the paper, but severally, and not to them altogether. And particularly, that he read it to Lieutenant Colonell *Ballard*, & to Lieutenant Col. *Luniford*, that he did not acquaint them all with it, and the reason why he did not, was because he conceived some were of more judgement then others, and fitter to be trusted with matters of secrecy.

James Chudley.

Essex. Warwick, Wil. Say and Seale, Howard.

The Examination of Thomas Ballard, Lieutenant Colonell to the Lord Grandison, taken May 18. 1641.

To the 10.

THAT he did meet at Borrowbridge, being sent to by Captaine *Chidley* and none other, but he found there Sergeant Major *Willis*, and divers other Officers of the army; this was sometime in Aprill last, as he remembreth.

To the 29.

That Mr. *Chidley* did propound to him certaine propositions, which as he affirmed, he did receive from Mr. *Henry Iermin*, and from another great man which he might not name. Captaine *Chidley* further said, that Mr. *Jermin* told him that he received those propositions from the King: But *Chidley* told him further, that when he kissed the Kings hand, his Majesty said nothing to him of any such propositions. The first proposition was, that he should not acquaint either Sir *Iacob Asbley*, or Sir *John Conyers* with any thing of this design. The second, that if there were occasion, the Army should remove their quarters into Nottinghamshire, where the Prince and the Earle of New-Castle should meet them with a thousand horse, and all the French that were in London should be mounted, and like

likewise meete them. These propositions were read by Captaine *Chidley* out of a paper, which he said he had written himself, thinking to have sent them downe; but upon better consideration he brought them downe himselfe. That they likewise should desire that Colonell *Goring* should be the Lieutenant Generall to the Army: There was likewise offered a paper to this effect, as he was then told, That if the King would send Colonell *Goring* to bee Lieutenant Generall, they would accept of him; which paper he, this examinant, refused to read, or to set his hand to it, but heard that divers others signed it. He further saith, that there was no other paper propounded to him to be signed, nor to any other to his knowledge. He further saith, that this was not delivered to the Officers in publicke, but severally.

He likewise saith, that presently after Colonell *Vavasour* said publickly, that he never consented to these propositions in his heart, and desired that there might be a meeting immediately, whereupon they agreed upon a meeting at Yorke the Wednesday following, at which meeting they generally concluded, not to interesse themselves in any of those designs that had beene propounded to them by Captaine *Chidley*, and they presently writ by the Post to Captaine *Chidley* to London, that if he had not delivered the paper, he should forbear to deliver it.

Thomas Ballard.

The Examination of Captaine Leg, taken May the 18. 1641.

To the 19. Inter.

HE saith, That he heard of a meeting at Borrowbridge, but was not there present, but was present at another meeting at Yorke not long after, where he was told that the King was not well satisfied with the affections of the Officers to his service; and therefore it was thought fit to make a Declaration of their readinesse to serve his Majesty; which Declaration was accordingly drawne, but not finding any great cause for it, it was after torne. He further saith, That the night before the meeting at Burrowbridge, he spoke with Captaine *Chidley* at Yorke, who perswaded him to goe to Burrowbridge, where he had propositions to impart to the army; but this Examinee refusing to goe, he would not acquaint him with them at that time; but told them that divers Lords and Officers of the Army were fallen off from the King, naming the Earle of Essex, the Earle of Newport, Commissary *Wilmot*, Colonell *Ashburnham*, and others which this Examinee so much disliked, that they forbore any further discourse.

Wil. Leg.

The Examination of Colonell Vavasour, taken 29. of May 1641.

THat at the meeting at Borrowbridge, Serjeant Major *Willis*, and Captaine *Chidley*, or one of them, told the Officers there, that the Parliament had taken great offence at the letter which they had written up to my Lord of Northumberland, and that those who had subscribed it, should be questioned, and that there was small hopes of money from the Parliament for the present.

That the King would take it very well, if he might receive assurance from them, that they would except of Colonell *Goring* for their Lieutenant Generall, and wished that the Army were united.

When the King had this assurance from them, there should come a Generall that would bring them money, this they said they had good Commission to deliver unto them, having received it from Master *Henry Iermin*, and Sir *Iohn Suckling*; hee likewise saith Captaine *Chidley* spake it with more confidence, and Serjeant Major *Willis* rather as having heard it from others: he further saith, there was a Letter written to Colonell *Goring*, for to let him know if the King would send him downe with a Commission to be Lieutenant Generall, they would willingly receive him, and this Letter was proposed unto them by Captaine *Chidley* and Ser. Major *Willis*. There was another Letter written to Mr. *Endimion Porter*, which as hee remembers was to let him know, that though the Army was now commanded by Sir *Iacob Abley*, yet if that it were his Majesties pleasure to appoint Colonell *Goring* to be Lieutenant Generall, they were confident the Army would receive him the better, being onely subscribed by Colonell *Fielding* and himselfe. And further saith that he hears this Letter was never delivered, for that Sir *Iohn Suckling* told Mr. *Chidley* that Mr. *Porter* was a stranger to the businesse.

Colonell *Vavasour*.

This Examination taken afore us,
Mandevile. Howard. Ph. Wharton.

Charles R.

Colonell *Goring*, these are to command you to provide with all speed a ship for this Bearer to carry him to *Diep* or *Calais*, or any other Port of France, that the winde may be good for, and if there be any of my Ships or Pinnaces ready to goe forth, you shall command the Captaine or Master of such Ship or Pinnace to receive him and his servants, and carry him into France, for which this shall be a warrant to the Captaine or Master you may imploy, and hereof you

nor

nor they are not to faile as you or they will answer the contrary at your perils.

Given at White-Hall this 14 of May, 1641.

To our trusty and wel-beloved Servant
George Goring Governour of Portsmouth.

*The Examination of Captaine William Legg, taken upon Oath before the
Lords Committees upon Saturday the 30. of October, 1641.*

To the first Interrog.

Saith, that he doth know Master Daniel Oneale who was Serjeant Major to Sir John Conniers, doth not certainly remember the precise time going from the Army to London, nor of his return backe, but believes he returned about June and July.

To the ninth.

That hee was at Yorke when the said Master Oneale returned thither from London, and can say no more to this ninth Interrog.

To the tenth.

That there was a Petition prepared to be delivered to the Parliament from the Army, which consisted of many particulars, as to shew how much they suffered for want of Martiall Law, and for want of pay, and because their principall Officers were not among them, and they did likewise set forth in it, That as the wisdom of the King did cooperate with the Parliament, So they did hope the Parliament would doe something concerning the Kings Revenue; but saith he doth not remember what the particular was which was desired, and further that they heard of great tumults about London, and therefore offered themselves to serve the King and Parliament, with the last drop of their bloods. He saith that this Petition was approved of by all the Officers that saw it, but was laid aside till further consideration should be had of the manner of the delivery. That himselfe was afterward sent for to London by order of the house of Commons, and was examined, and after his examination, when he saw there was no further use to be made of that Petition he burnt it.

He farther saith, that he staid in this Town some five or six dayes, and was with the King, and had some speech with his Majesty about a Petition to come from the Army, and gave him an accompt of the Petition that was formerly burnt, and there hee received another Petition to the same effect with the other, but handsomlier written, upon which there was a direction indorsed to this purpose, This Petition will not offend, yet let it not be shewne to any but Sir Jacob Ashley.

He farther saith, there was no name to this direction, but onely two Letters, but what those Letters were, he will not say, nor cannot swear who writ those two Letters, because he did not see them written.

He saith he did deliver the same paper with the directions to Sir *Jacob Ashley*, and told him withall, here is a paper with a direction, you know the hand, keepe it secret, I have shewed it to no body, if there bee no occasion to use it, you may burne it, and saith he spake no more of it to him, till after my Lord of Hollands comming downe to be Generall, and then hee spake to him to burne it.

William Legg.

The Examination of Sir *Jacob Ashley* taken before the Lords Committees this 29. of October, 1641.

To the first Inter.

HE saith that he hath knowne Serjeant Major Daniel Oneale very long, and that he was long absent from the Army the last Summer, but knowes not at what time he did returne, nor knowes not how long it was that he stayed in the Army before his going into the Low Countries, but thinkes it to bee about three weeks.

To the second.

He saith that Mr. Oneale told him after his comming downe last, that things being not so well betwixt the King and Parliament, he thought a Petition from the Army might doe very much good, and asked him if a draught of such a Petition were brought unto him, whether he would set his hand unto it, the particulars which he desired to have the Army received in, were the want of Martiall Law, want of pay, and for words spoken in the House of Parliament against the Army, as that the City was disaffected to the Kings Army, and would rather pay the Scots then them.

To the third Inter. He cannot answer.

To the fourth inter. He cannot answer.

To the fifth Inter.

He saith that he received a Letter by the hands of Captaine Legg, the tenour whereof as far as he remembers was to this effect, the Letter being written in two sides of paper and somewhat more, first that divers things were pressed by parties to infuse into the Parliament things to the Kings disadvantage, and that divers tumults and disorders were neare the Parliament to the disservice of the King, divers other particulars were contained in this Letter, and in the close of this Letter it was recommended to this Examinee, that he should get the hands of the officers of the Army to such a Declaration to be sent to the Parliament, and that this would be acceptable to the King. He further saith, hee knowes not of whose

hand-writing it was, nor who delivered it to Captaine Legg.

To the seventh Interrog.

He saith that Mr. Oneale telling him of the dislikes which were between the King and the Parliament, and of those things which were done to the disadvantage of the King, they must fight with the Scots first, and beat them, before they could move Southward; and that done, they must spoyle the Country all along as they goe, and when they doe come to London, they would finde resistance by the Parliament, and the Scots might rallie and follow them: to which Oneale replied, what if these Scots could be made neutrall? This Examinee then said, that the Scots would lay him by the heeles, if he should come to move such a thing, for that they would never breake with the Parliament. Presently replied, I wondred that Counsels should be so laid as had beene spoken of, of the marching of the Army to the South.

8. Inter. D.

He further sayes, that there was at the end of the Letter a direction to this effect: Captaine or William Legg, I command you that you shew this Letter to none but Iacob Ashley: above this direction were set these two Letters, C. R. Iacob Ashley.

The Examination of Sir John Coniers, taken upon oath before the Lords Committees upon Friday the 29. of October 1641.

TO the first Interrog. Hee saith, that he knowes very well Mr. Daniel O Neale, who was Serjeant Major to his Regiment, that the said O Neale came up to London about November last, and returned to the Army about Midsummer.

To the second, That O Neale, after his returne to the Army in Summer, spake twice unto this Examinee of a Petition to be sent from the Army to the Parliament, and told him, that because they did not know if himselfe would consent unto it, they would first petition him, that he would approve of it, but that as yet there were but few hands to that Petition, which was to be preferred to him; and therefore would not shew it him.

To the fourth. That the said O Neale used perswasions to this Examinee, that he would serve the King, that if he did not, he should be left alone, and would but ruine himselfe, for that all the Troops under him were that way inclined: That therefore hee should adhere to the King, and goe those wayes that the King would have him, or words to that effect.

To the fifth, That he saw a paper containing some directions for a Declaration to be subscribed unto by the Officers of the Army: which paper was in Sir Iacob Ashley's hand; he saith it was long, containing two sides of a sheet of paper, or thereabout: the effect whereof was something concerning Martiall Law, and better payment for the Army, together with some other particulars; that it was to be directed to the Parliament, and that there were two letters, viz. C. R. at the end. That he doth not know who brought it unto Sir Iacob Ashley, but that both of them were very much troubled at it. He saith further, that there was a direction at the end of the writing, that no body should see it but Sir Iacob Ashley; and the two letters, C. R. were, as he remembered, to that direction, but whether

ther before or after that direction, he cannot affirme.

To the seventh, That he never heard Mr. O Neale himselfe speake of his going to New-castle, but that he heard it from others, and as he takes it, from his wife the Lady Coniers, and that whosoever it was that told him so, told him withall, that O Neale himself said so.

Io. Coniers.

The second Examination of Sir Iohn Coniers, taken before the Lords Committees upon Saturday the 30. of October.

T*O the fourth Inter.* That Mr. O Neale said to him, that if hee this Examinant had been well knowne to the King, the King would have written to him, and therefore hee conceived this Examinant should doe well to write unto the King; to which hee replied, That he could not serve the King in that point, and therefore he thought it would be of no use to trouble the King with his Letters.

To the fifth, That the paper mentioned in his former examination, to have been seen by him in Sir Iacob Ashley's hand, contained directions for a Petition to bee presented to the King and Parliament: in which was a clause to this effect, That whereas all men ought to give God thanks, for putting it into the Kings heart, to condescend to the desires of the Parliament, not onely to deliver up unto them many of his servants, and others who were neere unto him, to be at their disposing, but also to doe many things which none of his Ancestors would have consented unto, as giving way to the Triennuall Parliament, and granting many other things for the good of his Subjects, yet notwithstanding some turbulent spirits, backt by rude and tumultuous mechanicke persons, seemed not to be satisfied, but would have the totall subversion of the government of the State, that therefore the Army which was so orderly governed, notwithstanding they had no Marriall Law, & no payement, and but few Officers, being of so good comportment, might be called up to attend the person of the King and Parliament for their security. This Examinant further saith, that there were many other passages in this Petition, which he doth not now remember, onely that there was some expression of a desire, that both Armies should bee disbanded for the ease of the Kingdome, and likewise a direction to procure as many of the Officers hands as could bee gotten.

To the seventh, That he remembers well it was not his wife, but Sir Iacob Ashley, that said to him thole words, O Neale goes, or else O Neale saith hee will goe to New-castle; but which of the sayings it was, he doth not well remember; but saith hee replied to it, that O Neale said nothing to him of that.

This Examinant further saith, that hee took occasion upon these passages from O Neale, to command him and Sir Iohn Bartles, and all the other Officers, to repaire to their Quarters, to bee ready to perfect their accounts with the Countrey against the time they should be called for.

Io. Coniers.

The Examination of Sir Faulke Huncks, taken before the Lords Committees upon Friday, Octob. 29. 1641.

TO the first Interrog. he saith, that he doth well know Master Daniel O-Neale, who was Serjeant Major to Sir John Coniers; That hee went from the Army to London about the time that the King came out of the North to the Parliament; and that he returned againe to the Army, about that time when Commissary Wilmot and the other Souldiers were committed by the Parliament.

To the second. That the said O-Neale perswaded him this Examinant to take part with the King, or something to that purpose; and that thereupon this Examinant acquainted the Lieutenant Generall with it, and presently repaired to his own quarter, to keep the Souldiers in order; where he staid not above two or three dayes, till he heard that O-Neale was fled. He further saith, that O-Neale dealt with him to have the troops move; To which he replied, that he had received no such direction from his superiours, nor from the King: And that then he offered him a paper, and pressed him to signe it; whereupon he this Examinant asked, if the generall, or Lieutenant Generall had signed it; to which O-Neale answering they had not, he said, that he would not be so unmannerly as to signe any thing before them, and refused to read it. He saith likewise that Captain Armstrong was present at the same time, and that O-Neale offered it to him; who looking upon this Examinant, this Examinant did shake his head at him, to make a signe that he should not doe it, and withall went out of the room: and Armstrong afterwards refused it, giving this reason, That he would not signe it when his Colonell had refused it; which hee told this Examinant.

To the third he saith, That O-Neale told him he had very good authority for what he did; but did not tell him from whom.

To the seventh. That Master O-Neale told him he was to goe to the Scottish Army, but saith he doth not know for what end and purpose he would go thither; for that hee this Examinant shunned to have any thing more to doe with him.

Faulke Huncks.

The Examination of Sir William Balfour Lieutenant of the Tower, taken the second of June.

TO the first Interrog. he saith, he was commanded to receive Captaine Billingsley into the Tower with 100. men for securing of the place, and that he was told they should be under his command.

To the second Interrog. he saith, The Earl of Strafford told him it would be dangerous in case he should refuse to let them in.

To the third Interrog. He referreth himself to the former depositions of the three women, taken before the Constable and himselfe. And further saith, That the Earle of Strafford himself, after he had expostulated with him for holding Mr. *Slingsby* at the Tower gate; and after his telling the said Earle he had reason to do, in regard of what the women had deposed, by which it appeared there was an escape intended by his Lordship; himselfe acknowledged he had named the word *Escape* twice or thrice in his discourse with Mr. *Slingsby*, but that he meant it should be by the Kings authority, to remove him out of the Tower to some other Castle; and that he did aske Mr. *Slingsby* where his brother was, and the ship.

To the fourth Interrog. This Examinant saith, the Earle of Strafford sent for him some three or foure dayes before his death, and did strive to perswade him that he might make an escape; and said, for without your connivence I know it cannot be: and if you wil consent thereunto, I will make you to have 20000. pounds paid you, besides a good marriage for your son: To which this Examinant replied, he was so farre from concurring with his Lth as that his honor would not suffer him to connive at his escape; and withal told him, he was not to be moved to hearken thereunto.

Ex. in presence of us,

W. Balfour.

Essex.

Warwick.

L. Wharton.

Mandevile.

James Wadsworth lies at the halfe Moone in Queen-street; at Cockets House a Joyner diverse Officers lye, which is the next doore.

Coll. Lindsey.

Capt. Kirk.

James Wadsworth.

Die Martis 4. Maii. 1641.

HE saith that one ancient *Knot* told him severall times the last week, that Sir *John Suckling* was raising of Officers for three Regiments for Portugall: and saith that he this Examinant was at the Portugal Embassadours on Sunday last, and then the Embassadour told him that hee knew not Sir *John Suckling*, nor any thing at all of Sir *John Suckling*s raising of men for Portugall; and the Embassadour himselfe had no Commission to treat for any men till he heard out of Portugall.

Tuesday the 11. of May 1641.

The Examination of *John Lanyon.*

HE was upon Easter Eve last, and severall times since, troubled by Captaine *Billingsey* to enter into an expedition for Portugall with Sir *John Suckling*. And when this Examinant told him that he was His Majesties servant, and could not goe without leave, Captaine *Billingsey* bid him take no care for that, he should have leave procured and further desired

desired him to get as many Canoneers as he could.

This Examinant doubting whether they were really in that Designe, repaired to the Portugall Embassadors, and there understood from his Secretary, that he was willing to have men, but they knew neither Sir *John Suckling*, nor Captaine *Billingsey*; neither had they from them any Commission to raise men.

He likewise saith, that Captaine *Billingsey* did after sollicite this Examinant to come to Sir *John Suckling*, and that upon Sunday was ten-night last Sir *John Suckling* and Captaine *Billingsey*, with many other Officers repaired unto his house in the afternoone, and there staid two houres at least; The Examinant not comming in, they left a note hee should be with them that night at the Sparragus Garden at Supper: whereof this Examinant failing, Captaine *Billingsey* comes againe to his house the Monday morning, and not finding him there, left word that he must needs come to the Covent Garden to Sir *John Suckling*s lodging, which accordingly he did; but not finding him there, the same day he was with Captaine *Billingsey* at the Dog Tavern in Westminster, at which time he did further appoint this Examinant upon Wednesday to promise Sir *Iohn Suckling* a meeting at the Dolphin in Grayes-Inne-Lane about nine of the Clock in the foornoon, where the same day came some thirty more which were appointed by Sir *Iohn Suckling* and Capt. *Billingsey*; but neither Sir *Iohn Suckling* or *Billingsey* came, only there came one and gave them money, and so dismissed them for the present.

This Examinant further saith, that Captaine *Billingsey* having notice that he had some store of Armes of his owne, told him, Sir *Iohn Suckling* would buy them all, if he pleased to sell them.

Captaine *Billingsey* likewise told this Examinant, that Sir *Iohn Suckling* had furnished himselfe for money, and all the company.

Iohn Lanyon.

Quarta die Maii, 1641.

E *Lizabeth Nutt*, wife of *William Nutt* of Tower-street London, Merchant, and *Anne Bardsey* of Tower-street aforesaid widow, say, that they being desirous to see the Earle of *Strafford*, came to *Anne Vyrer*, wife of *Thomas Vyrer* Clerk to the Lievtenant of the Tower, whose lodging being neare to the Kings Gallery, where the said Earl useth to walk carried them to a back doore of the said Gallery, the said Earl with one other being then walking. And they three being then there, and peeping through the key-hole and other places of the doore to see the said Earle; did heare him and the said other party conferring about an escape, as they conceived, saying, that it must be done when all was still, and asked the

said party where his Brothers Ship was, who said she was gone below in the River, and heard him say, that they three might be therein twelve houres, and doubted not to escape if something which was said concerning the Lievtenant of the Tower, were done; but what that was, as also where they might be in twelve houres, they could not heare by reason that when they walked further off, they could not perfectly heare. And the said Ms. *Nutt* and Ms. *Bardsey* say, that they heard the said Earle then say, that if this Fort could be safely guarded or secured for three or foure moneths, there would come aid enough: and divers other words tending to the purposes aforesaid, which they cannot now remember.

And further all of them say that they heard the said Earle, three times mention an escape, saying, that if any thing had bin done, his Majesty might safely have sent for him; but now there was nothing to be thought on but an escape: And heard the said other party telling his Lordship, that the outward gates were now as surely guarded as those within. To whom the said Earle said, the easier our escape that way, pointing to the East. If the said party and some others should obey the directions of the said Earle: But what those were they know not; but heard the said party answere, they would doe any thing his Lordship should command.

Anne Vyner, Anne Bardsey.
Signum, Eliza. E. N. Nutt.

The Supercription of the Letter.

*For my worthy friend Sir Lewes Dyves Knight, at the Earle of
 Bristols House in Queene-street,*

London.

Deare Brother,

I Hope you will have received the Letter which I wrote unto you from a board Sir *Iohn Pennington*, where in I gave you account of the accident of *O-neals* man, and why I thought fitting to continue my journey into *Holland*; going still upon this ground, that if things goe on by way of accommodation, by my abience the King will be advantaged: If the King declare himselfe, and retire to a safe place, I shall be able to wait upon him from hence, as well as out of any part of *England*, over and above the service which I may doe him here in the meane time. Besides that

that, I found all the Ports so strict, that if I had not taken this opportunity of Sir *John Penningtons* forwardnesse in the Kings service, it would have been impossible for me to have gotten away at any other time.

I am now here at Middleborough, at the Golden Fleece upon the Market, at one *George Petersons* house, where I will remaine till I receive from you advertisement of the state of things, and likewise instructions from their Majesties; which I desire you to hasten unto me by some safe hand: and withall to send unto me a cypher, whereby we may write unto one another freely. If you knew how easie a passage it were, you would offer the King to come over for some few dayes your selfe. God knowes I have not a thought towards my Countrey to make me blush, much lesse criminall; but where Traytors have so great a sway, the honestest thoughts may prove most treasonable.

Let *Dick Sherley* be dispatcht hither speedily, with such black cloaths and linnen as I have: and let your letters be directed to the Baron of Sherborne, for under that name I live unknowne. Let care be taken for Bills of Exchange.

Middleborough,

Jan. 20, 1641.

Yours.

The Examination of *Owen Connelly* Gent. taken before us
whose names entue, the 22. of October 1641.

W^Ho being duly sworne and examined, saith, That hee being at Mommore in the County of London-Derry on Tuesday last, he received a Letter from Colonell *Hugh Ogemacmahon*, desiring him to come to Connaghi in the County of Monaghan, and to be with him on Wednesday or Thursday last: whereupon he this Examinant came to Connagh on Wednesday night last, and finding the said *Hugh* come to Dublin, followed him hither: He came hither about six of the clock this Evening, & forthwith went to the lodging of the said *Hugh*, to the house neer the Boot in Oxmantowne, and there he found the said *Hugh*, and came with the said *Hugh* into the towne, neere the Pillory, to the lodging of the Lord *Mac-quire*; where they found not the Lord within: and there they dranke a cup of Beere, and then went back againe to the said *Hugh* his lodging. He saith that at the Lord *Mac-quire* his lodging the said *Hugh* told him that there were and would be this night great numbers of Noblemen and Gentlemen of the Irish Papists, from all the parts of the Kingdome, in this Towne, who with himselfe had determined to take the Castle of Dublin, and possesse themselves of all his Majesties Ammunition there; and to morrow morning being Saturday: and that

they intended first to batter the Chimneyes of the said Towne; and if the City would not yeeld, then to batter downe the houses, and so to cut off all the Protestants that would not joine with them.

He saith further, That the said *Hugh* then told him, that the Irish had prepared men in all parts of the Kingdom, to destroy all the English inhabiting there to morrow morning by ten of the clock; and that in all the Sea-ports, and other Townes in the Kingdome, all the Protestants should be killed this night; and that all the Posts that could bee, could not prevent it. And further saith, That he moved the said *Hugh* to forbear the executing of that businesse, & to discover it to the State for the saving of his owne state: who said, that he could not helpe it: But said, that they did owe their due allegiance to the King, and would pay him all his Rights, but that they did this for the tyrannicall Government was over them; and to imitate *Scotland*, who got a priviledge by that course. And he further saith, That when he was with the said *Hugh* in his lodging the second time, the said *Hugh* swore that he should not goe out of his lodging that night, but told him that he should goe with him the next morning to the Castle, and said, if this matter were discovered, somebody should dye for it: Whereupon this Examinant feigned some necessity for his casement, went downe out of the Chamber, and left his Sword in pawne, and the said *Hugh* sent his man downe with him: And when this Examinant came downe into the yard, finding an opportunity, he this Examinant leaped over a wall and two pales, and so came to the Lord Justice *Parsons*.

October 22.
1641.

Owen Oconnelly.
William Parsons.
Tho: Roherami.
Rob: Meridith.

The examination of *Mark Pagett* Parson of *Morlestonne*, neare *Kingsale* in *Ireland*, and Deane of *Rosse* there, had and taken at *Plimmouth*, in the County of *Devon*: before *Thomas Ceely* Merchant, Maior of the Burrough of *Plimmouth* aforesaid, *William Birch*, and *Iob: BOUND*, Merchants, three of his Majesties Justices of the Peace, within the said Burrough, the fourth day of *March* 1641.

The said Examinant saith, That hee came from *Kingsale* this day was seven night, and saith, that the Rebellion in *Ireland* is generall (except the Port Townes and Fortifications) and saith, that he conceiveth that the Forces of the Rebels in *Munster* is betweene twenty or thirty thousand,

thousand, which lye neare *Corke* and *Bandam* Bridge, in two bodies; whereof the chiefe of one is Baron *Loughland*, the Lord *Mungarrer*, the Lord *Dunboine*, and diverse other Lords: and the chiefe of the other are *Macarte Reath*, *Teage Adowne*, *Teage Adun van Durmet*, *Glacke*, and *Macke Phenning*, and diverse others. And this Examinant hath for certaine heard, that the Earle of *Clanrikard* is likewise in Armes in *Connough* against the English Protestants; and further saith, that he knoweth that the Rebels have very good intelligence out of England, of all passages here, and for the most part speedier then the English have there: and further saith, that they threaten that as soone as they have rooted out the Brittainish and English there, to invade *England*, and assist the Papists in *England*. And further saith, that they have the Popes Legate amongst them (as they report) who sits constantly in Counsell with Sir *Philome Oneale*, (who writes himselfe now Prince *Oneale* from his Palace *Charlemount*;) the Lord *Maggennys*, and divers others, who directed and advised the rest of the Rebels. And farther saith, That the *Irish* Rebels doe report that they have the Kings Warrant & great Seale for what they doe, and say they are his Majesties true Subjects; and that the *English* Protestants are Rebels, and not they. And further saith, That the Rebels doe generally report, that there are three factions in *England*, whereof one is the Kings; which consists for the most part of Courtiers and Bishops, with some few Lords and Gentry: Another the Puritanes, which is supported by the House of Commons, some Lords, and the Corporations and Cities in *England*: And the third is the Queenes, which they say is the greatest; and consists of the Catholiques, some Lords, all the Priests and Jesuits, besides the expectation they have of forraigne forces: And farther saith, That they report, that the Queenes faction will set such a division beweeene the two others, that it will root out both of them at last. And farther saith, That the *Irish* doe brag, that the Queenes faction hath command of most of the Forts and Forces of *England*. And this Examinant farther saith, That hee knoweth this to be usually reported amongst them, for that hee hath lived in *Ireland* these two and thirty yeeres, and bene incumbent of the said Church eighteen yeeres, and hath heard divers of the *Irish* Papists of the better sort to affirme so much, which doth much hearten the Rebels, and dishearten the *English*: And farther saith, That the Rebels have taken the Iron-workes at *Glanorreith*, and great quantities of Iron; and there, and else-where cast Ordinance, make Muskets, heads for Pikes, Skeans, and other weapons; and farther saith, That the greatest part of the nine thousand *Irish* souldiers which the Earle of *Strafford* had at *Nockvargis* in *Ireland*, and there exercised

(50)

exercised and trained a long time, are the most expert Commanders, Leaders, and Officers amongst the Rebels.

Thomas Ceeley Maier.

Madam,

I Shall not adventure to write unto your Majesty with freedome, but by expresses, or till such time as I have a cipher, which I beseech your Majestie to vouchsafe me, At this time therefore I shall onely let your Majestie know where the humblest and most faithfull servant you have in the world is, Here at *Middleborough* where I shall remaine in the privatest way I can, till I receive instructions how to serve the King and your Majesty in these parts. If the King betake himselfe to a safe place, where he may avow and protect his servants from rage (I meane) and violence, for from Justice I will never implore it, I shall then live in impatience and in misery, till I waite upon you. But if after all he hath done of late, he shall betake himselfe to the easiest and complyantest wayes of accommodation : I am confident, that then I shall serve him more by my absence then by all my industry, and it will be a comfort to me in all calamities, if I cannot serve you by my actions, that I may doe it in some kinde by my sufferings for your sake; having (I protest to God) no measure of happinesse or misfortune in this world, but what I derive from your Majesties value of my affection and fidelity.

*Middleborough the 21.
of Iannary, 1641.*

FINIS.
